

Attorney Docket No. 7203.01



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* patent application of Van Kampen R. Kent *et al.*

Serial No.: 09/689,621

Group Art Unit: 1651

Filed: October 13, 2000

Examiner: Lankford Jr., Leon

Entitled: **THE TREATMENT OF DERMAL TUMORS, WARTS, AND VIRAL  
INFECTIONS OF THE RESPIRATORY TRACT IN HUMANS USING  
HEAT-KILLED P. ACNES**

**Box RCE**  
Commissioner for Patents  
Washington, D.C. 20231

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**RESPONSE UNDER 37 CFR § 1.114**

**TECH CENTER 1600/2900**

Sir:

This communication responds to the Final Office Action mailed October 1, 2002 in the above-identified patent application. A Petition for a one-month extension of time up to and including February 1, 2002, and a Request for Continued Examination, along with the requisite fees, are attached. Applicants believe no additional fees are due. However, if any additional fees are due, please charge them to Deposit Account 04-1425, referencing docket number 7203.01 and client/matter number 448269-6.

**REMARKS**

**I. Rejections under 35 U.S.C. §103**

Claims 1-36 are rejected under 35 U.S.C. §103(a) as obvious over Adlam et al. and Evans et al. and Fujiwara et al., and Howard et al. and Megid et al. and Neifeld et al. The Office Action dismisses Applicants' arguments in a previously filed response and concludes that the breadth of the prior art provides a reasonable expectation of success for one of ordinary skill in the art.